

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2013 AUG 27 PM 4: 12

UNITED STATES OF AMERICA

v.

JOSE RUIZ (1)

2nd AMENDED JUDGMENT IN CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 12CR1657-WQH

RICHARD MEDINA, RET

Defendant's Attorney

REGISTRATION NO. 32807298

☒ Correction of Sentence for Clerical Mistake to correct special conditions (Fed. R. Crim. P.36)

THE DEFENDANT:

☒ pleaded guilty to count(s) 5 AND 10 OF THE INDICTMENT

☐ was found guilty on count(s) _____
after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 1341; 18 USC 981(a)(1)(C) and 28 USC 2461(c)	MAIL FRAUD	5
18 USC 1957 18 USC 982(a)(1)	MONEY LAUNDERING	10

The defendant is sentenced as provided in pages 2 through 14 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☒ Count(s) All remaining counts is ☐ are ☒ dismissed on the motion of the United States.

☒ Assessment: \$200.00 (\$100.00 each count)

☒ Fine waived

☒ Forfeiture pursuant to order filed 9/13/2013, included herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

JULY 18, 2013

Date of Imposition of Sentence

HON. WILLIAM Q. HAYES

UNITED STATES DISTRICT JUDGE

12CR1657-WQH

DEFENDANT: JOSE RUIZ (1)

CASE NUMBER: **12CR1657-WQH**

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 57 months as to each count concurrently

- ☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).
- ☒ The court makes the following recommendations to the Bureau of Prisons:
That the defendant be designated to a facility in the Western Region

- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
☐ at _____ ☐ a.m. ☐ p.m. on _____
as notified by the United States Marshal.

- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
☐ before _____
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

12CR1657-WQH

DEFENDANT: JOSE RUIZ (1)

CASE NUMBER: 12CR1657-WQH

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :
3 years supervised release to run as to each count concurrently

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

For offenses committed on or after September 13, 1994:

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000, pursuant to 18 USC sections 3563(a)(7) and 3583(d).
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

12CR1657-WQH

DEFENDANT: JOSE RUIZ (1)

CASE NUMBER: 12CR1657-WQH

SPECIAL CONDITIONS OF SUPERVISION

- ☒ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- ☐ If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer within 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion or voluntary departure.
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☐ Not enter or reside in the Republic of Mexico without written permission of the Court or probation officer.
- ☐ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☐ Participate in a program of mental health treatment as directed by the probation officer. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. Allow for reciprocal release of information between the probation officer and the treatment provider. May be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- ☐ Take no medication containing a controlled substance without valid medical prescription, and provide proof of prescription to the probation officer, if directed.
- ☒ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☒ Not engage in the employment or profession of fiduciary responsibility.
- ☐ Resolve all outstanding warrants within days.
- ☐ Complete hours of community service in a program approved by the probation officer within
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of
- ☐ Participate in a program of drug or alcohol abuse treatment, including urinalysis or sweat patch testing and counseling, as directed by the probation officer. Allow for reciprocal release of information between the probation officer and the treatment provider. May be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.

DEFENDANT: JOSE RUIZ (1)
CASE NUMBER: 12CR1657-WQH



RESTITUTION

The defendant shall pay restitution in the amount of \$1,122,031.00 unto the United States of America.

This sum shall be paid _____ immediately.
☒ as follows:

Pay restitution in the amount of \$1,122,031.00 through the Clerk, U. S. District Court (for victims see attachment). Payment of restitution shall be forthwith. During any period of incarceration the defendant shall pay restitution through the Inmate Responsibility Program at the rate of 50% of the defendant's income, or \$25.00 per quarter, whichever is greater. The defendant shall pay the restitution during his supervised release at the rate of 20% of the defendant's income, or \$250 per month, whichever is greater. These payment schedules do not foreclose the United States from exercising all legal actions, remedies, and process available to it to collect the restitution judgment.

Until restitution has been paid, the defendant shall notify the Clerk of the Court and the United States Attorney's Office of any change in the defendant's mailing or residence address, no later than thirty (30) days after the change occurs. Restitution is to be paid to the victims listed on the exhibit submitted by the Government and distribution is to be made on a pro rata basis.

The Court has determined that the defendant _____ have the ability to pay interest. It is ordered that:

_____ The interest requirement is waived.

_____ The interest is modified as follows:

Victim Of	\$ Loss for VNS/Forfeiture	Name
Ruiz	\$10,428.00	Carter, Max L. & Abarca, Lilia
Ruiz	\$2,385.00	Mendoza, Christian
Ruiz	\$5,292.00	Andrade, Eustolia
Ruiz	\$1,790.00	Mansilla, Walter & Rosa
Ruiz	\$3,585.00	Jasso, Benjamin & Garcia, Audelia
Ruiz	\$2,170.00	Rodriguez, Gladys
Ruiz	\$5,980.00	Isarraras, Jesus & Bravo, Adriana
Ruiz	\$1,400.00	Lopez, Levi
Ruiz	\$3,980.00	Castro, Juan & Pinedo, Nelly
Ruiz	\$15,345.00	Gomez, Marty
Ruiz	\$8,400.00	Andrade, Jose & Aldaco, Adriana
Ruiz	\$3,790.00	Baez Duarte, Tomasa
Ruiz	\$4,359.00	Alvarez, Rogelio Avalos & Ramona Avalos
Ruiz	\$900.00	Chacon, Antonia
Ruiz	\$8,955.00	Lopez, Mario & Ana Patricia
Ruiz	\$1,097.00	Soria, Jorge
Ruiz	\$100.00	Reyes, Antonio & Yolanda
Ruiz	\$850.00	Garcia Lopez, Graciela
Ruiz	\$2,985.00	Zambrano, Juan & Alcantar, Lourdes
Ruiz	\$1,867.00	Rodriguez, Valentin & Perez, Blanca
Ruiz	\$3,681.00	Gutierrez, Jaime

Ruiz	\$6,881.00	Gomez, Christina & Quiroz, Carlos Bravo
Ruiz	\$5,132.00	Leon, Lydia
Ruiz	\$2,400.00	Valencia de Cruz, Elisabeth
Ruiz	\$9,424.00	Alatorre, Christopher & Margarita
Ruiz	\$5,685.00	Barrios, Raymond & Veronica
Ruiz	\$8,771.00	Bugarin, Jose Hector
Ruiz	\$5,085.00	Contreras, Arturo & Maria
Ruiz	\$5,637.00	Cortes, Ernesto
Ruiz	\$9,975.00	Carranza, Ogarita
Ruiz	\$9,297.00	Vela, Joseph & Josefina
Ruiz	\$3,980.00	Gonzalez, Sergio
Ruiz	\$10,241.00	Cuellar, Fabio & Josefa
Ruiz	\$15,960.00	Zavala, Ricardo & Davina
Ruiz	\$2,706.00	Luna, Albert & Arleen
Ruiz	\$7,480.00	Orozco Zamudio, Rosendo & Guillermina
Ruiz	\$11,363.00	Zavala, Robert & Patricia
Ruiz	\$750.00	Ruvalcaba, Arturo & Maria
Ruiz	\$38,530.00	Vega, Joseph & Lorena
Ruiz	\$16,535.00	Blancas, Raul & Nita
Ruiz	\$2,000.00	Arellano, Abel & Maria
Ruiz	\$3,585.00	Martinez-Espita, Rafael
Ruiz	\$3,980.00	Navarro, Jose Alfredo

Ruiz	\$8,049.00	Maquinaldez, Irma
Ruiz	\$29,564.00	Barbieri, Danielle & Jack
Ruiz	\$6,364.00	Gonzales, Juan & Ramona
Ruiz	\$6,720.00	Donnelly, Patricia & William
Ruiz	\$5,085.00	Rosales, Abadiel
Ruiz	\$7,500.00	Alvarez, Moises & Hernandez, Judith
Ruiz	\$995.00	Rosales, Jose & Claudia
Ruiz	\$6,204.00	Guadan Loza, Cynthia M
Ruiz	\$3,792.00	Martinez, Tom & Juanita
Ruiz	\$894.00	Villa, Rosalie
Ruiz	\$18,645.00	Avila, Bertha & Iniguez, Amelia
Ruiz	\$5,385.00	Diaz, Moses & Yvonne
Ruiz	\$3,000.00	Hernandez, Julio & Salbuero, Elba
Ruiz	\$1,346.00	Cortez, Juan Carlos & Mirna
Ruiz	\$8,196.00	Gusman, Kevin
Ruiz	\$3,090.00	Sanchez, Norma
Ruiz	\$3,372.00	Argueta, Rosa
Ruiz	\$5,970.00	Ruiz, Herman & Yvonne
Ruiz	\$1,195.00	Galvan, Alejandro & Mireya
Ruiz	\$7,688.00	Dickson, Quincy & Gloria
Ruiz	\$6,175.00	Riveros, Alfredo & Corredor, Monica
Ruiz	\$8,460.00	Perez, Mary

Ruiz	\$3,788.00	Garcia, Tim & Lilian
Ruiz	\$6,540.00	Santana, Salvador
Ruiz	\$10,465.00	Hernandez, Juan & Gloria
Ruiz	\$800.00	Coronado, Jose & Cynthia
Ruiz	\$2,100.00	Vazquez, Vicente & Cazares, Alicia
Ruiz	\$10,000.00	Gonzalez, Vicente & Karina
Ruiz	\$1,536.00	Torres, Eddie
Ruiz	\$1,790.00	Rosetti, Enrique
Ruiz	\$8,955.00	Ordaz, Jose
Ruiz	\$11,646.00	Valdez, Carla
Ruiz	\$7,458.00	Cortez, Manuel & Rebecca
Ruiz	\$7,315.00	Toledo, Angelica
Ruiz	\$3,579.00	Tabora, Antonio
Ruiz	\$7,770.00	Navarro, Manuel Salvador & Hernandez de Na
Ruiz	\$1,495.00	Alvarez, Jose & Anna
Ruiz	\$1,200.00	Garcia, Adelo
Ruiz	\$3,885.00	Sanchez, Salvador
Ruiz	\$1,750.00	Perez-Ramirez, Silvestre
Ruiz	\$4,188.00	Beander, Patricia
Ruiz	\$4,975.00	Huiza, Salvador & Rosa M
Ruiz	\$995.00	Lopez, Ignacia & Sostenes
Ruiz	\$7,565.00	Walsh, Colleen Marie
Ruiz	\$17,555.00	Balbuena, Teodora & Carreon, Sarina

Ruiz	\$16,750.00	Siaz, Raynaldo & Eloisa
Ruiz	\$48,000.00	Madrid, David & Rebecca
Ruiz	\$3,849.00	Ferran, Leroy & Joyce
Ruiz	\$1,395.00	Dalere, Rhodaine
Ruiz	\$7,115.00	Paredes, Elana
Ruiz	\$1,990.00	Hernandez, Gerardo & Maria
Ruiz	\$3,585.00	Valadez, Julio & Sonia
Ruiz	\$5,970.00	Mendoza, Herminio & Gonzalez, Mary
Ruiz	\$2,994.00	Newberry, John & Patricia
Ruiz	\$250.00	Aguilar, Abraham
Ruiz	\$4,500.00	Rueda, Samuel
Ruiz	\$4,185.00	Sinohui, Maria
Ruiz	\$3,982.00	Andrade, Michael & Maricela
Ruiz	\$7,960.00	Hernandez, Guadalupe
Ruiz	\$3,272.00	Rivas, Johanna
Ruiz	\$5,468.00	Martinez, Veronica
Ruiz	\$20,000.00	Moreno, Ramon P
Ruiz	\$3,789.00	Saldivar, Jose & Gladys
Ruiz	\$5,970.00	Torres, Jose
Ruiz	\$6,445.00	Ochoa, Aracely
Ruiz	\$13,944.00	Hernandez, Jose & Bertha
Ruiz	\$2,829.00	Godinez, Martha
Ruiz	\$2,985.00	Aguirre, Juan & Aranda, Maria
Ruiz	\$2,200.00	Coker, Pamela
Ruiz	\$956.00	Postal Customer
Ruiz	\$6,588.00	Cerqueda, Maria

Ruiz	\$2,940.00	Postal Customer
Ruiz	\$2,373.00	Naranjo-Guzman, Hector & Lepe-Lopez, Maria
Ruiz	\$1,000.00	Morales, Pedro & Herrera, Aracely
Ruiz	\$9,065.00	Flores, Armando & Yolanda
Ruiz	\$3,585.00	Landeros, Jorge & Lopez, Jargo
Ruiz	\$6,270.00	Martinez, Modesto & Ana Maria
Ruiz	\$5,370.00	Olmos, Thomas & Carolena
Ruiz	\$4,197.00	Diaz, Ralph & Theresa
Ruiz	\$3,585.00	Gonzalez, Gabriel
Ruiz	\$6,265.00	Romero, Nestor & Nora Barrientos
Ruiz	\$5,250.00	Atkinson, Omar & Grace
Ruiz	\$2,000.00	Alcantar Avalos, Alfredo
Ruiz	\$475.00	Vega, Marisol & Michael
Ruiz	\$2,946.00	Guzman, Julie & Rafael
Ruiz	\$6,265.00	Pardo, Alberto & Campos-Lopez, Laura
Ruiz	\$2,000.00	Romero, Jose & Josefina
Ruiz	\$6,380.00	Cardenas, Miguel Angel
Ruiz	\$3,000.00	Yanez, Noe
Ruiz	\$6,475.00	Jimenez, Joe & Janie D
Ruiz	\$4,485.00	Mendez, Jose
Ruiz	\$2,300.00	Pham, Chris
Ruiz	\$6,484.00	Gomez, Arturo & Maria

Ruiz	\$2,000.00	Castro, Alma Lorena
Ruiz	\$4,495.00	Miranda, Marissa & Reveles, Lourdes
Ruiz	\$2,400.00	Dominguez, Josefina
Ruiz	\$3,342.00	Vasquez, Ignacio
Ruiz	\$2,000.00	Barajas, Ramon
Ruiz	\$3,588.00	Reyes Morales, Arnulfo & Hernandez-Reyes, A
Ruiz	\$8,710.00	Gutierrez, Maria Isabel & Diaz-Gutierrez, Patric
Ruiz	\$1,000.00	Postal Customer
Ruiz	\$2,000.00	Baca, Luis & Montanez, Elizabeth
Ruiz	\$1,295.00	Cruz, Martha
Ruiz	\$6,372.00	Casco, Gil & Marie
Ruiz	\$3,524.00	Castaneda, Ramon
Ruiz	\$2,554.00	Valdez, Sandra
Ruiz	\$4,930.00	Salcedo, Alberto & Micaela
Ruiz	\$2,649.00	Hernandez, Concepcion
Ruiz	\$7,840.00	Reynoso, Margarita
Ruiz	\$8,365.00	Ibarra Jauregui, Salvador
Ruiz	\$26,832.00	Hernandez, Raymundo & Arango, Francisco
Ruiz	\$5,522.00	Torres, Antonio & Ruiz, Carmen
Ruiz	\$900.00	Gomez, Sandra
Ruiz	\$2,000.00	Hernandez, Lorenzo & Cordero, Angelica
Ruiz	\$9,757.00	Salcido, Francisco & Irma
Ruiz	\$6,195.00	Campos, Manuel & Maria

Ruiz	\$1,295.00	Meza Jr, Arturo & Garcia, Brenda
Ruiz	\$12,240.00	Reyes, Jose W & Zazueta, Lillian
Ruiz	\$9,765.00	Valdez, Abel & Sandoval, Macrina
Ruiz	\$1,547.00	Chavez, Isidro
Ruiz	\$4,498.00	Ehda, Patricia
Ruiz	\$1,395.00	Garcia, Marcos & Otilia
Ruiz	\$5,376.00	Gonzalez, Julio & Herrera, Silvia
Ruiz	\$2,988.00	Gonzales, Carmen & Raymundo
Ruiz	\$898.00	Mayorga, Alma
Ruiz	\$3,640.00	Toro, Lawrence & Lolita
Ruiz	\$5,154.00	Melendez, Hernan & Silvia
Ruiz	\$15,419.00	Cervantes, Charley
Ruiz	\$1,097.00	Soria, Jorge & Juana
Ruiz	\$7,015.00	Coria Contreras, Gilberto
Ruiz	\$9,560.00	Esquivel, Judy
Ruiz	\$28,504.00	Marquez, Robert & Marlyn
Ruiz	\$7,295.00	Avila, Paul & German, Erika
Ruiz	\$11,355.00	Navarro, Manuel Salvador
Ruiz	\$1,000.00	Medrano Rodriguez, Pedro
Ruiz	\$7,649.00	Landeros, Bertha
Ruiz	\$8,956.00	Carrillo, Ambrosio & Lourdes
Ruiz	\$5,980.00	Alvarez, Anna & Jeanette
Ruiz	\$1,295.00	Lopez, Sylvia
Ruiz	\$950.00	Leon, Esmeralda

Ruiz	\$10,872.00	De La Rosa, Luis
Ruiz	\$5,405.00	Medina, Antonia
Ruiz	\$1,081.00	Medina, Josefina
Ruiz	\$1,081.00	Medina, Antonia
Ruiz	\$995.00	Avalos, Carlos

\$1,122,031.00